



*Office of Criminal Enforcement, Forensics and Training*  
*September 30, 2006*

**DEFENDANT:** Joel D. Udell

E.D. Pennsylvania 05-CR-402-1

**DEFENDANT:** Nittany Warehouse LP

E.D. Pennsylvania 05-CR-402-3

**DEFENDANT:** Pyramid Chemical Sales Co.

E.D. Pennsylvania 05-CR-402-2

**FACTS:** In June 2000, the EPA declared Nittany Warehouse a Superfund Site and ordered the defendants to clean up numerous containers of hazardous waste. Instead of cleaning up, the defendants, illegally shipped some of the wastes to the Netherlands and sold some of it to facilities in the United States, falsely claiming it was new, unused product rather than hazardous waste. The government of the Netherlands and the American companies that received the waste wound up paying for its proper disposal.

**DATE:** 07/14/2005 The defendants were charged with 15 counts of violating RCRA {42 U.S.C. 6928(d)(2) - storage of hazardous waste without a permit; 42 U.S.C. 6928(d)(6) - exportation of hazardous waste; and 42 U.S.C. 6928(d)(5) - transportation of hazardous waste without a manifest}.

**STATUTE:** 42 U.S.C. 6928(d)(2), 42 U.S.C. 6928(d)(5), 42 U.S.C. 6928(d)(6)

**DATE:** 07/14/2005 The defendants pled guilty to all 15 counts of RCRA violations.

**DATE:** 02/14/2006 The defendants were sentenced to pay jointly \$1,802,712.62 in restitution to EPA Hazardous Substance, EuropeContainerTerminal BV and the Dutch Government. Udell was also sentenced to 6 months home confinement under electronic monitoring, 60 months probation, ordered to perform 500 hours of community service, pay a special assessment fee of \$1,500 and a \$100,000 fine. Pyramid Chemical was also sentenced to pay a special assessment of \$6,000 and a \$50,000 fine. Nittany Warehouse was sentenced to 60 months probation, a special assessment of \$6,000 and a \$50,000, in addition to the ordered restitution.